

SELF AUDIT DISCLOSURE REPORT

Facility Name: Kensington High School # 5010
Facility Address: 2051 E. Cumberland Street
Philadelphia, PA 19125

Audit Date: May 14, 2010

Audit Personnel: Nicole R. Campbell, The SmithCo. Engineering Group, Inc.

The SmithCo. Engineering Group, Inc. (SmithCo.) performed an Asbestos Hazard Emergency Response Act (AHERA) Environmental Compliance Audit (audit) at the Kensington High School in accordance with Section IV of the "Self-Audit/Self Disclosure Agreement" between the United States Environmental Protection Agency, Region III (EPA) and the School District of Philadelphia (School District), effective as of March 9, 2007. The focus of the audit was to evaluate compliance with the regulatory programs required by the "Self-Audit/Self Disclosure Agreement." The audit was conducted under the environmental regulations set forth in the "Self-Audit/Self Disclosure Agreement." SmithCo. Partners Incorporated reviewed the following programs, in accordance with the scope in Section IV B of the "Self-Audit/Self Disclosure Agreement":

1. Asbestos Hazard Emergency Response Act (AHERA): (40 CFR Part 763), Subpart E. The Asbestos Audit will determine compliance with Toxic Substances Control Act (TSCA), Subchapter II (the Asbestos Hazard Emergency Response Act or AHERA), 15 U.S.C. §§ 2641 to 2646, and the federal regulations implementing AHERA as set forth at 40 C.F.R. Part 763 Subpart E.

The audit was conducted on behalf of the School District by SmithCo. on May 14, 2010. Approximately ten days prior to the audit, the facility was provided with a tentative audit time schedule and a list of documents to gather for review during the audit.

Findings were also reviewed with regards to the following nine requirements needed in order to satisfy the EPA's Self-Disclosure Policy..

Systematic discovery of the violation through an environmental audit or the implementation of a compliance management system.

Voluntary discovery of the violation was not detected as a result of a legally required monitoring, sampling or auditing procedure.

Prompt disclosure in writing to EPA within 21 days of discovery or such shorter time as may be required by law. Discovery occurs when any officer, director, employee or agent of the facility has an objectively reasonable basis for believing that a violation

has or may have occurred. However, the 21 day reporting requirement was waived by the EPA in accordance with this agreement policy (see section IV. C. and IV.D.2 of the agreement).

Independent discovery and disclosure before EPA or another regulator would likely have identified the violation through its own investigation or based on information provided by a third-party.

Correction and remediation within 60 calendar days, in most cases, from the date of discovery.

Prevent recurrence of the violation.

Repeat violations are ineligible, that is, the specific (or closely related) violations have occurred at the same facility within the past 3 years or those that have occurred as part of a pattern at multiple facilities owned or operated by the same entity within the past 5 years; if the facility has been newly acquired, the existence of a violation prior to acquisition does not trigger the repeat violations exclusion.

Certain types of violations are ineligible such as those that result in serious actual harm, those that may have presented an imminent and substantial endangerment, and those that violate the specific terms of an administrative or judicial order or consent agreement.

Cooperation by the disclosing entity is required.

Nicole R. Campbell was selected as project support for AHERA compliance audit. She has eight years of experience in environmental consulting and is an accredited and licensed AHERA Building Inspector and Management Planner.

The audit included the following:

- Opening meeting with the Kensington C.A.P.A. School Principal and Building Engineer;
- Review of documentation pertaining to the scope of the audit;
- Detailed tour of specific site areas, deemed necessary by auditors;
- Closing meeting with the Kensington C.A.P.A. School Principal and Building Engineer;

The following the School District staff attended the opening meeting on May 14, 2010:

- Ms. Deborah Carrera Borges, School Principal (C.A.P.A.)
- Mr. Charles Connell, Building Engineer

The following the School District staff attended the closing meeting on May 14, 2010:

- Ms. Deborah Carrera Borges, School Principal (C.A.P.A.)
- Mr. Charles Connell, Building Engineer

The Kensington High School is divided into two separate Schools. Kensington C.A.P.A. consists of grades nine to twelve and currently maintains approximately five hundred and twenty (520) students. Kensington Business Finance consists of grades nine to twelve and currently maintains approximately five hundred and thirty (530) students. This facility was built in 1917 and is approximately one hundred and fifty thousand square feet in size. The AHERA records for this location are centralized in the Kensington C.A.P.A. Main Office. Based upon the amount of friable and non-friable asbestos containing materials at this location the extent of the violation would be considered "Major". Major violations involve more than 3,000 square feet or 1,000 linear feet of asbestos containing building materials (ACBM).

Review of AHERA documentation was conducted in the Main office and the Building Engineer's office. Personnel representing the various departments were interviewed during the record review.

Regulatory findings are presented below. A corrective action plan and associated exhibits are provided in a separate document titled "Self Audit Disclosure Corrective Action Plan."

1.0 ASBESTOS EMERGENCY RESPONSE ACT (AHERA)

The facility was evaluated for compliance with the following regulations:

1. An up-to-date Inspection/Re-inspection schedule that complies with the requirements found at 40 C.F.R. § 763.80;
2. An up-to-date Management Plan that complies with the requirements of 40 C.F.R. § 763.93;
3. A training and periodic surveillance schedule that complies with the requirements found at 40 C.F.R. § 763.92;
4. An Operation and Maintenance plan that complies with the requirements found at 40 C.F.R. § 763.91.
5. A "Designated Person" that complies with the requirements found at 40 C.F.R. § 763.84(g);
6. A plan to provide annual notifications as required 40 C.F.R. § 763.93(g)(4); and
7. A record keeping plan that complies with the requirements found at 40 C.F.R. § 763.94

FINDING NUMBER: 1 (Re-inspections)

Regulatory Citation: 40 CFR § 763.85(b)

Description of Finding: The school is required to complete Three Year Re-inspections. Data gaps ranging from three (3) to six (6) months were identified following the original management plan of 1988, the 1995 and the 2001 Three Year Re-inspections. These inspections were not completed within the required three (3) year time frame.

Date of Non-Compliance: Following the original management plan of 1988, the 1995 and the 2001 Three Year Re-inspections.

Corrective Action: The school must complete the Re-inspections every three (3) years. This is a historical finding as the school can not complete missing data gaps.

Actions to Prevent Reoccurrence: Implement a schedule and track the Three Year Re-inspection in a compliance calendar.

Filed For Extension: Yes No

Satisfy the Nine (9) Conditions of Eligibility: Yes No (explain)

FINDING NUMBER: 2 (Periodic Inspections)

Regulatory Citation: 40 CFR § 763.94)(d)

Description of Finding: The school is required to complete Six Month Periodic Surveillance Inspections. Varied data gaps exist between the Six Month Periodic Surveillance Inspections ranging from one (1) to nineteen (19) months. These inspections were not completed within the required six (6) month time frame.

Date of Non-Compliance: The data gaps were noted from 1989 to 2008

Corrective Action: The school must complete Periodic Surveillance Inspections every six (6) months. This is a historical finding as the school can not complete past missed inspections.

Actions to Prevent Reoccurrence: Implement a schedule and track the Six Month Periodic Surveillance Inspections in a compliance calendar.

Filed For Extension: Yes No

Satisfy the Nine (9) Conditions of Eligibility: Yes No (explain)

FINDING NUMBER: 3 (Recordkeeping)

Regulatory Citation: (40 CFR § 763.94)

Description of Finding: The regulations require the school to maintain all Operations and Maintenance (O&M) records, only partial records were found at the school. The following reports were missing from the school:

Company	Project #	Date
Synertech	010-3123-17	1/31/09
Synertech	010-2905-3	11/30/07
ETC	A07-0213-01	2/13/07
USA	07-010001-279	12/11/07
ETC	A07-0213-02	2/13/07
Synertech	010-2625	3/31/06
Synertech	010-2660	8/30/06
Synertech	010-2623	4/30/06
Synertech	010-2386	8/31/05
USA	04-010001-36	4/13/04
USA	04-010001-37	5/11/04

Date of Non-Compliance: 2004, 2005, 2006, 2007 and 2009

Corrective Action: Prepare copies of the missing O&M records and distribute to the administration office for inclusion in the management plan.

Actions to Prevent Reoccurrence: Send letter to all school administrators reminding them of the AHERA record keeping procedures and the importance of maintaining all asbestos documentation sent to them.

Filed For Extension: Yes No

Satisfy the Nine (9) Conditions of Eligibility: Yes No (explain)

FINDING NUMBER: 4 (Recordkeeping)

Regulatory Citation: 40 CFR § 763.93 (g)(3)

Description of Finding: The 1992 Re-inspection report was not found at the school.

Date of Non-Compliance: 1992

Corrective Action: Prepare a copy of the missing Re-inspection Report and distribute to the school's administration office for inclusion in the management plan.

Actions to Prevent Reoccurrence: Include notification letter instructing the principal to maintain with the other files.

Filed For Extension: Yes No

Satisfy the Nine (9) Conditions of Eligibility: Yes No (explain)